

Minutes of a Regular Board Meeting of the Town Board of the Town of Riverhead, held in the Town Hall, Riverhead, New York on Tuesday, February 2, 1988 at 7:30 p.m.

Present: Joseph F. Janoski, Supervisor
John Lombardi, Councilman
Louis Boschetti, Councilman
Robert Pike, Councilman
Denise Civiletti, Councilwoman

Also Present: Patricia Moore, Town Attorney
Irene J. Pendzick, Town Clerk

Supervisor Janoski called the meeting to order at 7:30 p.m. and the Pledge of Allegiance was recited.

Councilwoman Civiletti offered the following resolution which was seconded by Councilman Pike.

RESOLVED, that the Minutes of Regular Board Meeting held on January 19, 1988 are dispensed without objection and be approved.

The vote, Boschetti, yes, Pike, yes, Civiletti, yes, Lombardi, yes, Janoski, yes.

The resolution was thereupon duly declared adopted.

Supervisor Janoski, "The heads of departments are present this evening should anyone have any question. Reports Mrs. Pendzick."

REPORTS

Woodward-Clyde Consultants & H2M Associates, January 1988- Preliminary Draft: Emergency Operations Plan.

File

Planning Board, 1/20, 1/22, and 1/26/88-Approval of minor sub-divisions of W. & H. Zaweski and Sound Homes, Ltd.; Approval of major sub-divisions "Roanoke Pine", Brandywine Farms", and "Crystal Pine Estates"; and approval of revised preliminary plat of "Village Green at Baiting Hollow".

File

Tax Receiver-Report of collections as of January 28, 1988 (\$13,705,290.67).

File

Conservation Advisory Council-Annual Report for 1987.

File

Police Department-Report for the month of December, 1987.

File

Building Department-Report for month of January, 1988: (\$6,058.00).

File

Town Clerk-Report for month of January, 1988 (\$49,999.82).

File

Supervisor Janoski, "Thank you. Applications."

APPLICATIONS

Water District Extension-M.H. of L.I. (S/s of Sound Avenue Baiting Hollow). See Water District. Filed

Parking District Extension-Hallock Luce, III (Second St.). Filed

Supervisor Janoski, "Thank you. Correspondence."

CORRESPONDENCE

Sherry Johnson, 1/27/88-Submitting resignation from CAC effective immediately. Filed

Charles R. Cuddy, 1/22/88-Requests resolution approving reduction of performance bond of "Century Farms East". Filed

Arthur & Patricia Jones, 10/1/87-Reminding Town Board of correspondence from Suffolk County Health Department Re: Sand and Salt storage. Filed

Allen Smith, 1/21/88-Advising client's rejection of offer dated 12/22/87 as inconsistent and potential adverse environmental consequences. Filed

Marcia Z. Hefter, 1/27/88-Advising that Timothy Hill Children's Ranch has terminated lease agreement at 33 Meadow Lane. Filed

Molly Roach, 1/28/88-Objecting to tax exemption of not-for profit organizations. Filed

N.Y.S. Dept. of Transportation, 1/26/88-Advising that a traffic signal investigation at Sound Avenue and Route 25A was completed in 1985. Filed

Supervisor Janoski, "The time for the first scheduled public hearing has not yet arrived. Under Unfinished Business there is quite a list. Some of which will be acted upon this evening. I would recognize anyone who wishes to be heard on any subject or anything on the agenda. Steve."

Steve Haizlip, Calverton, "Since the last meeting and I spoke about writing a letter to the Commissioner of Motor Vehicle Bureau about this emissions and testing. Since then I have been able to consider or to gather considerable documentation and I can't read all this that I've got here. But any member of the Board here that wants to ask me for a copy so they can pitch in and start helping with this, I'd appreciate it. But it all boils down in a nut shell that the New York inspects cars for compliance of anti-pollution laws, should have attracted attention 7 years

PERSONAL APPEARANCES ContinuedSteve Haizlip, Continued

ago when the blended into a costly and controversial contract with a single supplier. We all know who it was. It's Hamilton Standard. We know who was in charge at that time. General Haig and we know who our governor was, Carey and it was hastily rushed into just to get something out there. Now, everybody is under the apprehension that Congress is telling the State that if you don't get this emissions set up and centralized, we're going to take money away from you. I got documentation here saying that Congress never said that and they don't even mean that. So I say, and they also emphasize, that they're going to pull a test in two minutes when the probe from the machine that you put in the exhaust can not get warm in that time to give an accurate reading onto the meter. And they're going to do it in two minutes and they're going to establish 45,000 stations that now has it into 17 zones on Long Island and 15 in the Burroughs. There's something wrong here. They're pushing us and regimente it and dominate and Congress denomination right into this thing when they started it off wrong to start with. So all I can say is that I hope they will leave the present system like it is. I know it works and I know people that's gone to it. It's taken close to a half hour or 45 minutes and they're going to push us through in two minutes with these long lines and then they're going to say that's an accurate check. I think that what is boiling down to this, the Allen Group. They're trying to get in on this and I also got documentation about that report where the State Inspector General came up with this and so it's a controversy. The judge has said open up the report and they're just holding back and we just are going to be the loser of it. So any help you want, I got the documentation."

Supervisor Janoski, "Is there anyone else present who wishes to address the Board? Yes sir."

Bill Roberts, Baiting Hollow, "I think we've been aware for many years and it's been re-enforced in a lot of publicity that's been given the subject about altering vehicles, where the Governor has stepped in and is placing restrictions upon their sale. And then I was looking through our Town Code and I thought I'd see where altering vehicles would be eliminated but they really are not. Because the section of the Town Code where it might be expanded to include altering vehicles, it does not mention specifically. The Town Code says; under Chapter 48, 7B: The operaton of trikes, motor-bikes, mini-bikes or any other two or three-wheeled fuel powered vehicle shall be prohibited on any beach within the Town of Riverhead. It doesn't mention anything about four-wheeled all terrain vehicles."

Supervisor Janoski, "It does some place else."

Bill Roberts, "I checked. I checked quite thoroughly. You are probably right. But I propose that the Town..."

Supervisor Janoski, "If I could tell you what the code provides, perhaps. We do prohibit out of town non-citizens in the Town of Riverhead from driving four-wheeled vehicles on our beaches. However, we have retained the ability of citizens of the

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PERSONAL APPEARANCES, Continued

Supervisor Janoski, Continued

Town of Riverhead to obtain a permit to do so."

Bill Roberts, "We're not all terrain vehicles?"

Supervisor Janoski, "No. What's it all....."

Bill Roberts, "Or is just all wheeled vehicles?"

Supervisor Janoski, "Four-wheel drive. What is an all terrain vehicle? You're talking about a four wheel drive like a blazer."

Bill Roberts, "I'm talking about little ones. Those are not mentioned here at all. They're not allowed but they're not specifically mentioned in the code."

Supervisor Janoski, "You're talking about the four wheel."

Bill Roberts, "The little ones that fly around cliffs and tear them all down, erode them."

Supervisor Janoski, "Chief, could you add some light to this?"

Chief Grattan, "Under a different section of the code, any vehicle in order to get a permit to be operated on the beach, must be properly registered and insured. And the all terrain type of vehicle that he's speaking of, can not be registered as a motor vehicle. So therefore, it is prohibited from operation on the beach. The section dealing with permits specifically states that it must be registered and insured."

Bill Roberts, "Ok. I just focused in on this section and I didn't see any mention of it."

Supervisor Janoski, "Thank you. A couple more minutes remaining. Is there anyone else who would like to address any issue on the agenda or any other matter? Mr. Kasperovich."

William Kasperovich, Wadng River, "I guess that must be the 18 thousandth time I've said that here in all the years that I've been here and I don't know if you people are wearing me down or I am tiring. But I will continue to object to public documents not being made available to the public in the Town Clerk's Office. I can't say it be critical of the Town Clerk's Office because they have a good filing system and their people know where everything is or they certainly search out every drawer of every file if they don't. So I can't reflect anything in their direction. But if they don't get the document, they can't have it on record. Now, the other week, I wanted to see what the town was going to do in laying the water mains in my community. Particularly where I live. The Town Clerk's Office did not have anything. The contract was let in early December after all the procedures. And yet two months

PERSONAL APPEARANCES, ContinuedWilliam Kasperovich, Continued

man withdraws his application after all is said and done. Here again introduces the suspension that the Board of Appeals has informed the man as to the conclusion but this is highly inappropriate. Now, Mr. Pike brings in a man to address the Town Board at your Work Session and the newspaper (Traveler-Watchman) refers to this man as a State Trooper and certainly guilty of intimidation if nothing else and the Town Board is not aware of all this information and testimony that was given to the Board of Appeals. The man is brought in like he didn't stand up here and lie. He didn't stand up here and misinform. He didn't stand up here and be shown that he did not permit information that was of serious concern to come to the Board of Appeals and Mr. Pike brings him in as an innocent lamb and everyone takes his word, from what the paper said that he's speaking truthfully. Now, if the Town Board doesn't know what transpired at the Board of Appeals, they should certainly not entertain position to let the man come in and reapply."

Supervisor Janoski, "Thank you Bill. You're five minutes have expired and let me just say this."

William Kasperovich, "It's a slur on the Board of Appeals."

Supervisor Janoski, "Bill, your time has expired."

William Kasperovich, "I will expire too in a short order. This is something that people are afraid to oppose Mrs. Tormey. They're afraid to tell Mr. Pike that; hey, where do you get off with this stuff."

Supervisor Janoski, "Bill, you are out of order."

William Kasperovich, "Sure I'm out of order. You've thrown me out of here for being out of order. I'm not afraid of this any more."

Supervisor Janoski, "If I could Bill. You make this sound like an extremely big controversy. It's a question of...."

William Kasperovich, "It is to the people that are effected and hurt by it."

Supervisor Janoski, "Can I finish now Bill, please? It's a question of flying model airplanes that the gentleman sought a variance. And now is seeking a special permit which he has a perfect right to do. We have not yet had the public hearing on it. The Planning Board has not yet made a recommendation on it and he hasn't made an application yet. That process will take place and you can stand up to that microphone and you can express your opinion and he will not be...."

William Kasperovich, "And when I came here to tell you about some street lights that were out all winter, you turned your back and walked out of the room. But when you bring in a phone baloney, you bring them in by a Councilman....."

PERSONAL APPEARANCES, ContinuedWilliam Kasperovich, Continued

later, the public doesn't have access to this information. Now they're out to review the entire specifications and contract but at the same time there are some aspects that are going to prevent difficulties to the community and I wanted to see how they were going to be handled. And there's no way for me to see. Now, this is nothing new. But I think because the same situation has existed for so many years, that I feel that the Supervisor is purposely keeping these documents from the public."

Supervisor Janoski, "Well, if you want to come down at your convenience, I will do my best to make sure you are given a copy of it. I would believe there is a copy of the work that H2M has done in the contract in the Town Attorney's Office. I would have believed that it was in the Town Clerk's Office. But if it's not, we'll have to make sure that it is."

William Kasperovich, "Well, the Town Attorney could not accommodate me last week or even yesterday over the phone. And they are certainly well paid and we've got to make allowance because we've got a new Town Attorney."

Supervisor Janoski, "It's certainly something that we don't want to hide. As a matter of fact, I can speak for myself, that I'm very proud of what we're doing in your community out there and I'm sure the rest of the Board is too. There's no reason in the world that we want to hide it."

William Kasperovich, "Well, then it should be available to the public."

Supervisor Janoski, "And I will do my best to make sure that you can look at it."

William Kasperovich, "Alright. May I call upon your office to look for this?"

Supervisor Janoski, "Absolutely."

William Kasperovich, "The second item I wish to bring to the Town Board's attention is a matter of procedure. It's my feeling or understanding that when an application goes through the Board of Appeals, by that I mean; papers and posting and allowing people to speak and present testimony after several months, the chairlady (Mrs. Tormey) will advise you of the conclusion. I think that conclusion should be followed through. Because after the election, you don't withdraw from your position. Now, Mr. Pike in his lack of knowledge of the life in Riverhead, it seems that that is an all inclusive (Mr. Pike) term. Because every time I turn around, I find that you don't know what in God's name you're doing?"

Supervisor Janoski, "What's the subject here Bill?"

William Kasperovich, "The subject is the procedure going through the Board of Appeals. It's the several months and the testimony given and people spent time and concern for research and money was spent by individuals that were interested, and the

PERSONAL APPEARANCES, Continued

Supervisor Janoski, "Bill, you're out of time and I thank you for your testimony. Let the record show that the hour of 7:52 p.m. has arrived. The Town Clerk will please read the notice of public hearing."

PUBLIC HEARING - 7:45 p.m.

I have affidavits of publishing and posting for a public hearing to be held at Riverhead Town Hall on Tuesday, February 2, 1988 at 7:45 p.m. to hear all interested persons who wish to be heard regarding: The Draft Environmental Impact Statement for Cross River Project located east of County Road 105.

Supervisor Janoski, "While Allen is coming up here, the lights that were in question; I asked Bill a simple questions. What's the pole numbers? And he said; I'm not going to do your job for you and with that, I did turn and walk away. Mr. Smith."

Allen Smith, Attorney, "Members of the Town Board, you have before you this evening a hearing under the State Environmental Quality Review Act process. The purpose of this hearing is to receive comments that anyone may have on the Draft Environmental Impact Statement that has been submitted on behalf of the applicant. This particular project is the subject of a scoping hearing. Subsequent to the scoping hearing, the document I have before me was prepared and submitted. In brief outline, the project is proposed by Mr. William Hubbard. Mr. Hubbard is in the audience back about four or five rows. Together with Mr. Hubbard this evening are the various professionals that aided in the copulation of this particular data. We have sanitary engineers. We have economists, botanists, traffic engineers and architects. At such time that people make comments, they are attentative to the various disciplines that are involved here. We will make notes of those comments. And in the further process of this review, address those comments as they may be made. Again, as an overview, the property is what we know as the Hubbard Duck Farm. It is west of 105, north of Sawmill Brook and south of the Long Island Railroad. It is approximately 80 acres. A multi-use project proposed on this particular site in that it is 380 living units with a recreational facility along 105. The various impacts are examined. Generally, it is a clustered development where 28% of the property is built upon and approximately 71 or 72% of the property is in open space. There are all sorts of details in here with reference to traffic and like. And we will answer any comments that any one may have tonight. It's fair to say that people also may submit written comments during the comment period. We'll listen and take notes and go from there."

Supervisor Janoski, "Thank you Allen. Is there anyone present who has any comment to make on the Draft Environmental Impact Statement? George."

PUBLIC HEARING, Continued

George Bartunek, C.A.C., "I'm the chairman of the Conservation Advisory Council. And we have some concerns regarding the D.E.I.S. as prepared for the Hubbard project. The first concern that we have is that we have not, to my knowledge, the Town has not received a satisfactory site plan map. On March 10, 1987, I wrote a letter to the Town Board and I'll just review that very quickly. It says; please consider setting a date later than March 13th for submitted recommendations and comments regarding a site. The C.A.C., Conservation Advisory Council was not given a site map in order to make informed evaluations of this proposal. That was almost a year ago. The day after that, it was written a letter from the Department of Health Services (Suffolk County) and I'll just read a paragraph from this. We find it impossible to prepare technical comments for the Cross River proposal without a complete site plan and construction schedule, proper survey, landscape plan, grading and drainage plans. We request that the Town provide the Office of Ecology with said materials and any additional narrative information available to our staff so they may conduct a full environmental assessment of this proposal. To my knowledge, we haven't received a satisfactory topographic map. We are requesting that a topographic survey be conducted that would show two foot contour intervals of the site. On this map we're also suggesting that the 100 year floodplain or flood zone area be delineated on the map. We are concerned specifically, for the effects on building units; 2, 3, 4, 5, 6, 7, 8, 9 and 10 which are near Sawmill Creek. Specifically, we're concerned about the effects of flooding on the property owners of the people that might buy those particular units. The D.E.I.S. does address itself to the problem or potential problem of stormwater runoff. We are a little more concerned. We think that the D.E.I.S. should address itself a little bit more specifically to the problems that might develop from stormwater runoff. Especially under the considerations now of the Brown Tide problem in Peconic Bay. It seems that there is a time factor which may be taken into consideration for retention of stormwater runoff before it is allowed to percolate into the tidal system, into the bays. There seems to be some kind of time period in which colorform bacteria, if it is retained without getting into the bay system, the effect of the bacteria is diminished. And we would like that to be considered in the problem of the stormwater runoff problem. We would like to see on the site plan map if and when we do have one prepared for us, to show accurate details and methods and capacities of stormwater retention and recharge and we would recommend that an independent consulting engineer be retained at the developer's expense to render an unbiased determination of the viability of this drainage system. We're really paying particular attention to this because of the problems we are seeing developing in the bay system. So we're really honing in on a very particular problem here which is the stormwater runoff system on this particular site. Problem number two or three; whatever we're getting down here on the list; is the nitrogen loading problem on this particular site. Again, paying particular attention to this because of the Brown Tide problem that seems to be developing every year. It seems to be pretty much sticking to us this winter. Although the D.E.I.S. does address itself to a fertilization management program, it's the feeling of the C.A.C. that this is really inadequate presentation in

PUBLIC HEARING, ContinuedGeorge Bartunek, Continued

the D.E.I.S. Primarily, what they're recommending is that the management program, the fertilization management program be through testing of soil to determine the amount of lime and nutrient application which is going to be required and application of slow release type of fertilizers. The question that I have is; who will monitor this type of a program. I think that it would be more appropriate if we were to take measures in this particular site that would restrict the actual aerial extent of lawn emplacement. And I would also suggest that consideration be made for landscaping with vegetation which is appropriate to coastal environments and which would not require repetitive types of fertilization whether it's slow release or fast release types of fertilizers. Another problem that we would like to have addressed a little bit more accurately and in detail is the potential of erosion and solvation into Sawmill Creek. The D.E.I.S. does address this in a very basic fashion. What we would like to see is a very detailed specific grading plan for the site when construction is actually taking place. Grading and drainage plans should be submitted to whatever Town body would be appropriate to consider the effects of this. We're particularly concerned about the possibility of erosion and solvation during construction of units again, two through ten which are closest (again) to Sawmill Creek. The final thing, (I'm getting down to the end of the list here) is the accuracy and completeness of the field investigation of existing plants and animal species. The D.E.I.S. identifies ten bird species that were done during several field visitations according to the document that we have before us tonight. The problems that a C.A.C. member (Ed Kemnetzer) has come up with is that the independent biologist is not identified which might be taken care of tonight. The times of the field investigation were not indicated in the D.E.I.S. And what Mr. Kemnetzer did on (for two hours, he volunteered his own time) January 31st, now this is the time of the year when you would expect the least number of bird species present, he identified in a matter of just two hours 15 different species of birds as opposed to only 10 species of birds that were found in the investigations of the D.E.I.S. And he estimates 20 to 25 migratory species would be using that site and that possibly 50 to 60 nesting species would be using the area during the summer nesting months. What this is leading up to is that if we were to go back and do a more accurate and detailed habitat investigation, that possibly we would be able to indicate specific areas in the site that should maybe be protected for the fauna and flora of the natural environment of Riverhead and maybe the site plan could be modified to take that into consideration. Thank you very much."

Supervisor Janoski, "Thank you George."

Councilman Pike, "If I might, I just wanted to ask you about one thing. I haven't read the details on the stormwater runoff system. Could you just describe what they're doing in this particular application?"

PUBLIC HEARING, Continued

George Bartunek, "I think I have a quote for that if you hold on a second. One quote that I did put down here in my notes is that stormwater runoff collect on paved roads will be discharged to either a recharge well, leeching pool or ponds. And I think what we would want... See, they describe ponds of what they are proposing here. And I think that what we should see are some cross sections, cross profiles of the specific types of ponds, the depth of ponds, the more detailed type of retention systems that we're talking about here."

Councilman Pike, "Is there a site plan that shows the location of those recharge ponds?"

George Bartunek, "There is a site plan map in the D.E.I.S. that shows the location of ponds. The scale of the map that is in the D.E.I.S. is on a scale which is acceptable to the C.A.C.; 1 to 100. But the detail which is rendered when it's reduced in size, really doesn't give a very accurate indication of where the pipes, the collecting basins are going to be, where they might be dry catch basins or anything like this. It shows some very general positions of where the ponds are going to be. It's really not adequate in my opinion."

Councilman Pike, "The reason I ask this is because it seems to me that there is at least a beginning of an attempt to mitigate a normal situation with stormwater runoff which is basically just to run it straight into the river. And if that were the case here, I wanted to address something else that's going on in town. To the extent that you're aware of pending applications that have stormwater runoff running directly into the water or systems like this. Perhaps you should let John Johnson who is doing an inventory of all of the town-wide stormwater runoff systems, know about those that are pending. So that when we get an inventory, we can have them projected in as well. That's not so much these folk's problem but we're starting to see work on a solution here. And perhaps if this is sufficiently defined, we can transfer it to other sites in town."

George Bartunek, "It's a good idea."

Supervisor Janoski, "Is there anyone else who would like to address the Town Board regarding this Draft Environmental Impact Statement? Betty."

Betty Brown, N.F.E.C., "My name is Betty Brown and I am the Vice President of the North Fork Environmental Council. I have comments on the Draft Environmental Impact Statement for the Cross River Project submitted by the North Fork Environmental Council to the Town Board. The D.E.I.S. is inadequate in that a detailed site map showing existing topographical vegetative features are nor included. A clear site plan of this type should be included in a revised E.I.S. The D.E.I.S. is especially deficient in that a detailed engineering site plan is lacking. This site plan should show all proposed site changes including; building structures, parking areas, changes to topographical contour lines, location of drainage systems, natural vegetation contours, D.E.C. wetlands boundaries and landscape vegetation contours. Additionally, this site plan should display the dimensions of all proposed man-made

PUBLIC HEARING, ContinuedBetty Brown, Continued

structures, systems, contour lines (both original and proposed), elevations, and regulatory boundaries. The D.E.I.S. makes prominent mention of an on-site stormwater drainage system featuring man-made ponds. The document is deficient in that there are no certified engineering drawings for this system and no documentation as to how the system will work and how it will be maintained. The D.E.I.S. states on page 27, the project will be constructed over a 36 month period. There are no diagrams showing or text explaining how this will be done. A revised E.I.S. should include a detailed construction schedule with illustrating sketches. This schedule, or lack of same, is an especially critical environmental factor. Erosion control, negative impacts on wildlife and surface water quality in Sawmill Creek can not be determined until this information is supplied. We are especially concerned with the lack of information as to the placement and management of the large volume of excavated soil to be expected from such a large project, page 215. Detailed engineering drawings and explanatory text addressing this issue should be included in a revised E.I.S. The D.E.I.S. states that surface drainage from the northern half of the property flows to Sawmill Creek. No analysis was performed on the effect of on-site retention stormwater on the water quality of the Creek. Cutting off this replenishing source of freshwater to the Creek is like tying off an artery. This should be addressed in the revised D.E.I.S. Data on traffic volume at Study Area intersections was performed during January, April and May, 1987. These are not peak times for those intersections. The automobile trip numbers generated by the project in the D.E.I.S. are unrealistic. The trip generation numbers are far too low. There will be 380 units in the project with 760 parking spaces. Even if half of the units are occupied for the summer season only, the D.E.I.S. should predict trips based on at least 380 cars. The D.E.I.S. does not explain why or how the trip generation figures for the two supposedly analagous condominium projects were derived. Trip numbers should be reprojected based on 380 cars minimum, 520 medium, and 760 maximum. The D.E.I.S. underestimates the cumulative effect on increase in traffic generated by the project will have on air quality. Because of the underestimation of trips per day the resulting congestion and consequent air pollution at key intersections has not been accurately analyzed. The D.E.I.S. states that the intersection of Route 25 and Route 105 with site generated traffic will be degraded from a "C" level to a "D" level but with restriping of Route 25 to provide a left turn lane, the intersection would be upgraded to "B". However, the D.E.I.S. also states that NYS Department of Transportation has no plans for improving roadways within the study area. The D.E.I.S. suggests that a northbound to westbound left turn lane be constructed on Route 105 to aid access to the project from the south. It does not suggest who will pay, build or plan for this. The Terrestrial Ecology section of the D.E.I.S. is misleading and inadequate. the D.E.I.S. states that there were several field investigations made on the site. It does not state who did them, what this person's qualifications are, or when the investigations were conducted. The D.E.I.S. presents lists of species "and their occurrence on site". The comments on these

PUBLIC HEARING ContinuedBetty Brown, Continued

lists mostly describe preferred habitats and make no mention of occurrence on site. this section should be totally redone. The D.E.I.S. states that there will be no adverse impacts with respect to solid waste services as a result of the proposed action. It also states that the project will generate 1.75 tons of solid waste per day. In light of the imminent closing of the Riverhead Landfill in 1990, which fact is acknowledged in the D.E.I.S., how can this statement be made or accepted??!!! The D.E.I.S. states that the proposed project will generate 49,973 gallons per day of sewage which will be sent to the Riverhead Treatment Plant. The D.E.I.S. acknowledges that H2M has informed the applicant that the Riverhead Plant is operating at almost capacity and that what capacity is available is targeted for areas within the existing sewer district. H2M is quoted in the D.E.I.S. as stating that "the Cross River Project" would produce an inflow of sewage above and beyond the present capacity of the plant. The D.E.I.S. states that the surcharge may be imposed presumably by the Sewer District, to fund the expansion of the treatment plant. We must state at this point, that the adverse environmental impacts caused by the generation of solid waste and sewage are beyond the powers of any private developer in Riverhead to mitigate. Until such time that the Town has a state approved plan for the management of solid and sewage wastes, no residential project of the magnitude of Cross River can be built in this town. Even if the sewage plant were expanded, the effect of adding more effluent to Flanders Bay could mean further serious pollution of the entire Peconic Bay system. The Brown Tide should be enough of a clear warning to the Board. Wait until the Brown Tide Study is done before moving ahead with any large residential subdivision. The D.E.I.S. states that prices for the proposed condominium units will be \$138,000 for one-bedroom units and \$175,000 for two-bedroom units. Furthermore, the D.E.I.S. states that half of the units will be sold as summer resort homes. The D.E.I.S. does not address the issue of affordability and availability of these units to Riverhead citizens. The D.E.I.S. is inaccurate and misleading in regards to potential archeological resources on the site. The Long Island Archeological Project and the New York State Historic Preservation Office informed NFEC that the project site is within several "archeologically sensitive areas". Important finds have been made in the Indian Island County Park. Because the Cross River requires a D.E.C. wetlands permit, a State I Survey, including field investigations, will be required by the D.E.C. The D.E.I.S. continually refers to the project as being clustered. The project site sketch shows the structures spread out all over the parcel with only eight acres preserved in its natural state along the edge of Sawmill Creek. The D.E.S.I. does not discuss the alternative of public acquisition. This was requested by NFEC's scoping hearing on 4/21. Just a general comment. It was brought to our attention by the permit division of the Suffolk County Department of Public Works regarding curb cuts, that the area described as the main entrance of the Cross River Project on County Road 105 is considered a limited access area and curb cuts are not granted.

PUBLIC HEARING, ContinuedBetty Brown, Continued

How will this effect the project and address the possibility of access on Hubbard Avenue. Thank you."

Supervisor Janoski, "Thank you. Is there anyone else who wishes to address the Board on the matter of this Draft Environmental Impact Statement? That being the case and without objection, I declare the hearing closed."

7:45 PUBLIC HEARING CLOSED AT 8:16

Supervisor Janoski, "Let the record show that the hour of 8:16 p.m. has arrived. The Town Clerk will please read the notice of public hearing."

PUBLIC HEARING - 7:55 p.m.

I have affidavits of publication and posting for a public hearing to be held at Riverhead Town Hall on Tuesday, February 2, 1988 at 7:55 p.m. to hear all interested persons who wish to be heard regarding: Amendment to Section 101-11.1 of the Riverhead Town Code making changes in the line striping at Peconic River front Parking area.

Supervisor Janoski, "Town Attorney."

Patricia Moore, "This is a proposed amendment to section 101-11.1 which allows for parking fields to have prohibited parking areas. This proposal is for designating certain areas as "No Parking" during the hours of 8:30 and 9:30 in the morning. We have a sketch of the proposed areas and they are available for review at the Town Clerk's Office. Do you have any comment?"

Supervisor Janoski, "Thank you. Is there anyone present who has any comment on the red striped areas in the Municipal Parking Lot? That being the case and let me just add; this is done at the request of the members of the Parking District, those property owners within the boundaries of the Parking District who pay the taxes to support the facilities. That being the case that no one wishes to be recognized to speak, I declare the hearing closed."

7:55 PUBLIC HEARING CLOSED AT 8:17

Supervisor Janoski, "Let the record show that the hour of 8:18 has arrived. The Town Clerk will please read the notice of public hearing."

PUBILC HEARING - 8:05 p.m.

I have affidavits of publishing and posting for a public hearing to be held at Riverhead Town Hall on Tuesday, February 2, 1988 at 8:05 p.m. to hear all interested persons who wish to be heard regarding: Special Permit of Henry Lee to increase number of residential condominium units by 13 on N/s of Sound Avenue, Baiting Hollow.

PUBLIC HEARING, Continued

Supervisor Janoski, "Thank you. Is there anyone present representing the applicant? Henry, did you want to be recognized?"

Allen Smith, "The project that is before you is a project that has now been around for about four years. It is on the northerly side of Sound Avenue, generally opposite the northerly terminus of Osborne Avenue. There is approved, on that particular site, a two-building condominium project which includes 67 units. Through a great deal of effort, the applicant has under contract, 18 acres of farmland in the prime soils category on the northerly side of 105 northwesterly side (I guess you would describe it) of 105 that is owned by Mr. Marvin Warner who is one of our local farmers who wishes to continue farming. He wishes specifically, to continue farming that particular piece. What is proposed is exactly what occurred with reference to the Entenmann Project. Mr. Lee has agreed to pay Mr. Warner the price that he has asked. In return, allowing the density from the 18 acres owned by Mr. Warner to be transferred in terms of density uses into the structures that have already been approved by this particular Board. By redoing some architecture, we do not need to change the basic footprint of the buildings that are proposed on the site. We can take the approved 67 sites, do an additional 13 units that will give us 40 units in each structure. That's what is before the Board this evening. I'll answer any questions that anybody may have."

Supervisor Janoski, "Thank you Allen. Does anyone wish to address the Board on this application? Betty."

Betty Brown, "I just had a question. Perhaps someone could answer. Are these TDR's being transferred out of an area that is contingent to property that is in the County Farmland Plan?"

Allen Smith, "Before identifying this parcel and Mr. Avery Young's parcel which is another parcel which I'm attempting to put under contract, I met with Dr. Koppelman and Mr. Gunz of the Suffolk County Program. There is no immediate, as far as I know, there is no immediately contiguous parcel in the program. I believe that there are properties on the other side of 105 from this parcel that are in the program."

Councilman Pike, "Betty, another thought on that is that there are four major large open space areas in the Town of Riverhead. Three of which have been extensively used for the Suffolk County Program. This one is, as far as I can see, the fourth. And that you might have here a seed of starting another major TDR or PDR preservation area. And while there is no contiguous parcel, and that is a good principal for designating sending zones, this particular parcel has a farmer willing to continue farming in an area that's a large contiguous space that would be served by some public access to enjoy it if it developed and could provide a seed for a fourth TDR sending area designation in the farm program. I think Mr. Warner and the other gentleman considering this sort of thing should be encouraged and congratulated for considering it. That might provide us with a whole another of preserved farmland."

PUBLIC HEARING, Continued

Supervisor Janoski, "Is there anyone else present who wishes to testify regarding this application? Yes ma'am."

Constance Lowe, Baiting Hollow, "I have two questions. I'd like to know how these additions are going to be added; in height or at a lower level? That's my first."

Supervisor Janoski, "Ma'am; direct your question to us."

Constance Lowe, "My second question is; why is it called condominium I?"

Supervisor Janoski, "Allen."

Allen Smith, "The answer to the first question is that there will be added height or additional.... The footprint dimension of the units will be smaller within the structures and there will have to be architectural changes before this Town Board in terms of site plan review when as and if this particular application is entertained. It is a stage development. There are two structures here depending upon financing and market. The one 40-unit building will be built. A second 40-unit building will be built. Four years ago when this project was initially proposed, it showed 120 units at that point, in one very tall building. That proposal was turned down and the consequences that the two tall but not as tall buildings were approved. When as and if I can convince other farmers to participate in this type of a thing, there will be a further application for a third building of 40 units which is not permitted at all at this particular point and may or not be permitted depending on the process."

Supervisor Janoski, "Thank you. Is there any other question or comment? That being the case and without objection, I declare the hearing closed."

8:05 PUBLIC HEARING CLOSED AT 8:26

Supervisor Janoski, "Let the record show that the hour of 8:26 p.m. has arrived. The Town Clerk will please read the notice of public hearing."

PUBLIC HEARING - 8:10 p.m.

I have affidavits of publishing and posting for a public hearing to be held at Riverhead Town Hall on Tuesday, February 2, 1988 at 8:10 p.m. to hear all interested persons who wish to be heard regarding: Amendment to Section 48-13, Parking and Parking Permits.

Supervisor Janoski, "Town Attorney."

Patricia Moore, "This is a proposed amendment to the beach and recreation center fees. We are attempting to make changes to the parking beach recreation center permits. At this proposed law would give hotel/motel businesses the opportunity to purchase permits, yearly permits, that can be then issued to the guests without a fee. Very briefly that is what it is. Bungalows, motel is generally described in the definitions here and provides for hotel/motel bungalows recreational summer businesses to is-

PUBLIC HEARING, Continued

Supervisor Janoski, "Let me just say that we did change the code regarding these permits last year. There are certain flaws, certain problems that arose. I appointed a committee to investigate and make recommendations. John Lombardi and Denise Civiletti undertook that. This is based on those recommendations and I invite your comments. Yes sir."

Bill Roberts, "The first part of this proposed amendment identifies the place on the vehicle where the permit will be affixed and it will be on the left hand side of the front bumper where it may compete with the garbage dump sticker but that does not bother me that much. What does bother me is if that permit will be on the front bumper and that car is parked up against vegetation, sand, anything where a law enforcement officer is supposed to see if there is a permit, he'll never see it. We have enough problems now with having enforcement of that law by having non-resident, non-permit bearing cars stickered. Now you bury the front of that car somewhere against where it will never be read and most people will park there until the end of the day without any problem whatsoever and they'll keep on coming back and back and back because policemen are very reluctant to get out of their cars. They were very reluctant than previous years to get out of their cars to see if the stickers were affixed to the windows of the vehicles. They're not going to get out and crawl in the sand to see if it's affixed to the bumper of the car."

Councilwoman Civiletti, "We've got somebody from the Recreation Department here and also we have Chief Grattan. I was made to understand that this change... That the police and the people wanted this change. Maybe if you could approach the microphone and explain that."

Councilman Lombardi, "Plus we do have someone at the gates too Bill."

Bill Roberts, "Yes but there are places where there are no attendants."

Chief Grattan, "Stickers, by law can not be placed on a windshield. And the problem we experienced with placing them on the side windows is; many people roll their windows when they park at the beach. We do not have the authority to enter the car and roll the windows up to see if they have a sticker. Also by placing them on the window, some people place them on with scotch tape and then took them off and gave them to another car. We want them affixed permanently on the bumper so they can only be put on one car. And if the man has to get out of his car and look, he can legally walk around and find the sticker without having to enter the car and roll the windows up. That is why we requested they be bumper stickers."

Supervisor Janoski, "Any particular reason why you specify the left front bumper?"

PUBLIC HEARING, Continued

Chief Grattan, "No. I have no left front bumper, right front bumper, left rear preference. But a car can be parked in either direction. So really the point doesn't matter."

Councilman Pike, "It seems like the left front would be for those attending parking lots so as the gentleman is driving in, it's immediately available to the site. Would it be a better solution to put it on the side of the left front bumper? That way it would never be..."

Chief Grattan, "Well, it would depend on the vehicle and the bumper. Some of, particularly, your recreation vehicles don't have the curve around."

Councilman Pike, "But that tends to solve his problem in the unattending areas."

Chief Grattan, "You just have to complain and that will make them get out of the car."

Supervisor Janoski, "Chief, before you... Do you recall the statistics of how many summonses were issued at our beach parking lots last year?"

Chief Grattan, "Off hand I don't but it's always a very very large number."

Supervisor Janoski, "I think I heard the hint that they're not being enforced."

Chief Grattan, "There's a very large number of them issued."

Supervisor Janoski, "Thank you."

William Roberts, "The reason I brought it up is because we have had a problem with enforcement. I'll mention again, you know by the way, the 19 parking spaces on Edwards Avenue and the people park into the sand and you tie up those spaces, the local property owners nor nobody else in Riverhead can come down there. If the cars are parked stalls, that's one thing because then you can see the sticker. But if it's buried, then you can't."

Supervisor Janoski, "Well, Bill, I think you've raised an issue. From what I understand, it seems to me that left front is probably the best place but we will certainly consider what you have to say. Steve."

Steve Haizlip, Calverton, "Since we got onto the beaches..."

Supervisor Janoski, "This is a specific public hearing on a specific proposal."

Steve Haizlip, "Ok. I guess I might be out of order then."

PUBLIC HEARING, Continued

Supervisor Janoski, "You can come back later but this is a public hearing. Mr. Nohejl."

Bill Nohejl, Aquebogue, "No more Wading River. I, for one, and I know a lot of other people, do not wish to have stickers put on bumpers of the car. I know you're going to say take it or leave it but that..."

Councilman Pike, "What do you want?"

Bill Nohejl, "I feel the way it has been, on the back window of a car; usually a car with two doors and the back window is never rolled down. I still think it would be a logical place for it."

Supervisor Janoski, "Thank you Bill."

Bill Nohejl, "Now I'm speaking for the purpose that I do not wish it be, anything stuck on my bumpers. Thank you."

Supervisor Janoski, "Yes. I see a hand but I don't...."

Garret Moore, Jamesport, "For cottages that are rented out, I understand it is a \$10 permit, a \$10 fee for each permit for the people that rent it out to go use the town beach. I don't think that's necessary. I would think that just a book of passes given out to the landlord that he could issue to each person using the cottage to be able to use the town beach."

Councilman Lombardi, "That's what they're going to be doing."

Supervisor Janoski, "Before we go any further, did you tell us who you were?"

Garret Moore, "Yes. I'm Garret Moore from Jamesport."

Supervisor Janoski, "Would you turn the mike towards you so we get all this?"

Garret Moore, "It says \$10 for each cottage to get a permit to issue out to the rentor. I don't feel that \$10 is necessary. Just a book of passes issued to the landlord to cover each house that is rented out to the people. As each house already pays the taxes. I mean, if I live in the town, I get a free one. I get a free sticker to put on my car to go to the beach. Now, if I rent my house out for the summer, I got to pay \$10 to get a sticker. No. I don't think that's necessary. That's the only point I'm making. I think just a book of passes. That's what I've done with the County to go to the County Park. Thank you."

Supervisor Janoski, "Thank you. Well, Dottie, you beat Bill by a split second. We'll get you next Bill."

Dorothy Jermusyk, Calverton, "I don't like the idea of putting the stickers on the bumpers either. I find the dump sticker on my pick-up, I can't get it off to put the new one on."

PUBLIC HEARING, Continued

Supervisor Janoski, "That's the whole idea."

Dorothy Jermusyk, "You mean we're just going to get one and it's going to stay permanently. You've got to scrape it off the following year? I don't like that. You scratch your bumper all up. What are you going to do, put layer on top of layer? I don't like the idea. Thank you."

Supervisor Janoski, "Well Ok Dottie. If you don't like it, I'm not going to argue. You know, of all the things that we're doing this evening, if you would have told me that this one was going to be the controversial one.... Mr. Kasperovich."

William Kasperovich, "Once again, I come here and stand for the people that live here as opposed to the business people, the merchants and peddlers who we're trying to accommodate. When I was without a car for two years, there was no way I could get a sticker for the people that came to visit me for the weekend and take me down to the beach that couldn't get a sticker. And I'd rent a car for the weekend from Hertz or Avis when they were featuring specials, I couldn't get a sticker. Here I am a resident but because I don't have a vehicle, I can't get a sticker. That means that you're not accommodating all the taxpayers in the township. You're not leaving room for the people that live here and do not have vehicles. But you're accommodating people that live elsewhere and come here to allow somebody to run a business. Now, you're also entertaining a growth to the beach population but you haven't stretched the shores of the beach available but you're accommodating the business people. Well I say; first in line are the people that live here. And until such time that you accommodate all the people, this is out of order to facilitate businesses and people that do not live here. Thank you."

Supervisor Janoski, "Thank you Bill. Is there anyone else present? Joe."

Joseph Sykora, Riverhead, "And I don't think the stickers should be put on the bumpers because you can not get them off. Even if you use acetone, you can't get them off. Thank you."

Supervisor Janoski, "Steve, you developed a point of view on this one?"

Steve Haizlip, "All I'm going to do is second what Bill just got done saying."

Supervisor Janoski, "Well, get up here and do it Steve."

Steve Haizlip, "What my original input was when I came up before, I wanted to say; with all the housing being proposed tonight with Mr. Smith, Mr. Lee and so forth, it is going to create a lot more people and the beach is still the same size and it has not been stretched out and say all you people can go to the beach and lay there in comfort. I would just second what he said."

PUBLIC HEARING, Continued

Supervisor Janoski, "Is there anyone else who wishes to..."

Councilperson Civiletti, "I'd just like to say one thing about what Mr. Kasperovich said. I think it's a very good point. Jane Van de Thorn and John can attest, it's something that we rangled over for well over an hour I think in fact because it bothered us that we weren't providing for people who for whatever reason, didn't have an automobile to put a sticker on. The only solution that we could come up with was issuing a photo ID card which at this time, wasn't feasible because of expense and personell to do it. Jane, did you want to say something about how you could accommodate people like that and how you have attempted to do that at the Recreation Department?"

Jane Van de Thorn, Recreation Dept., "The people who do live in the Town of Riverhead, if they don't have a car of their own and are renting a car; in the past, if they have come down to the office with a piece of paper from the Hertz Rental Company or the rental company stating that this car was being leased to the person, we would give them a sticker. "

Councilperson Civiletti, "Jane, what would you do in the situation where you've got somebody who's relative, friend, whatever, somebody who doesn't have a car and doesn't have a sticker. The daughter or son comes along and wants to take them to the beach."

Jane Van de Thorn, "We talked about that. We never come up with an actual definite conclusion of how we would handle that. The only thing being that we had talked about if someone was handicapped or couldn't get to the beach and didn't own a car and their son or daughter was coming up."

Councilperson Civiletti, "What have you done in the past? Because I'm sure.... Has this confronted you?"

Jane Van de Thorn, "We haven't had this? Stan, have we had this problem before? When we had the stickers before, it was only this passed year when we changed the ordinance that we did have a problem and the person had to live here. It had to be on their... They had to present a car registration that they lived in the Town of Riverhead or owned a piece of property in the Town of Riverhead. It got to be very difficult. So anyone could come up to us and say; well, I don't drive but my son is coming up this week and now my other son is coming up the following the week and a friend of mine is coming up this week. It's very hard to have control over that."

Councilman Lombardi, "Jane, excuse me. But we did say, if I remember right, we would give one permit to a person. We did say that and I hopes that's in there. That if a mother or a father lives by themselves and they can't drive, that this person would come out and get a temporary permit I believe."

Jane Van de Thorn, "We did say one. We didn't have it in the report."

PUBLIC HEARING, Continued

Councilman Lombardi, "We did say one because they have been living here and they do pay taxes in the town and we felt that they should be taken care of."

Jane Van de Thorn, "If they could designate one person, we could do it for them."

Councilman Pike, "Jane, could I just ask a real quick question? What do we do with the person who has no and doesn't want any car and shows up at the beach, is a resident, on a bike or walks?"

Jane Van de Thorn, "That's fine. The parking permit is only for a car. Anyone who walks, anyone who drops someone off, we've done that in the past. People come and drops off. If for instance, a non-resident comes out, a resident can drive them and drop them off at the beach and pick them up. There's no..... It is only for the car."

Councilman Pike, "Basically if people just show up walking to the beach, we don't police them at all?"

Jane Van de Thorn, "No. Unless they're doing something illegal."

Supervisor Janoski, "I definitely know that people object to stickers being attached to any part of the bumper. Chief Grattan, if you would come up, I guess there's a question for you."

Councilman Lombardi, "Larry, would there be a problem. Do you feel there's a problem of putting it on the rear window, legally?"

Chief Grattan, "You're talking about the rear back window or are you talking about the rear side window, we have a problem with it. A lot of cars, some cars don't open then don't roll down. But a lot of cars, they still roll down. And if they roll the windows down, we can't check them. And we get an irate person who's claiming that the vehicle doesn't belong there. I think it's a waste of time to have our police officers ticketing cars that have valid permits. And also, I told you about the problem we've had in the past. In fact, I think the gentleman that first brought the complaint up, pointed out to us about one individual who he felt was transferring the sticker between three different vehicles by the use of tape. And our feeling was once it's placed on the bumper, you're certainly not going to be able to take it off and put it on another car."

Councilman Boschetti, "Larry, what's your opinion about the rear window?"

Chief Grattan, "The absolute back window? I don't know the legality of it and I wouldn't hazard a guess without checking with the New York State Traffic Laws. Some cars are very sloped and of course on your suburban type models, that also rolls down."

PUBLIC HEARING, Continued

Supervisor Janoski, "Ok. Bill, you're coming back for a returning engagement."

Bill Nohejl, "I would like to ask the Chief, what policeman is going to walk around the front of the car and check every car that's generally pointed in."

Supervisor Janoski, "I take that to be a rhetorical question. I would say the Chief's answer is that every officer assigned to that duty is going to get out if there's any question."

Bill Nohejl, "And walk along the front of every car to check it. I doubt it."

Supervisor Janoski, "Is there any other comment on this? Ok. George, this has nothing to do with you. George, could we just recess this for a few minutes and we'll get you when we come back. We will get back here (let's try for) at 9 o'clock."

TOWN BOARD MEETING RECESSED AT 8:45

TOWN BOARD MEETING RECONVENED AT 9:03

Supervisor Janoski, "Ladies and gentlemen, we are going to call the meeting back to order if you would take your seats. It appears that there was an error in the publishing of this public hearing that we're involved in. Is that correct?"

Councilman Lombardi, "Jane, would you come up please? Ok. I'm going to recognize Mr. George Schmelzer for the purpose of giving us his opinion on this proposal."

George Schmelzer, Calverton, "Thank you Mr. Supervisor. There was a lot of discussion about rear windows and rear side windows. The rear side window of most cars only go down half way. So if you put the d--- ticket on the top third, I think you can see it no matter if the window is down. As far as beaches, I think the town has a monopoly on beaches right now. Maybe the town should encourage private owners to establish private beach businesses and encourage them. Don't give them any hindernesses like zoning and all this stuff. But if anyone that wants to establish a beach for that type of business, let them do it. You get four or five of them all together on the Sound and the Bay side, you will solve all our problems. I wonder if you'd do it though."

Supervisor Janoski, "Quite honestly George, anyone who owns waterfront property is probably welcome to do that. I would imagine that anyone who owns water front property recognizes that it is much more available to other issues. And the only way that we're going to be able to acquire more beaches is to buy the property."

George Schmelzer, "I think you should put out the news that the town encourages people to do that. Maybe you would get some responses. Try it."

PUBLIC HEARING, Continued

Supervisor Janoski, "Thank you George. Mary Beth."

Mary Beth Andresen, Aquebogue, "I really don't know what all the problem is. The Bay is dead. The Sound is dieing. Who want to go to the beach anyway? Build a pool. Truly, everybody in this town should be on the biggest bandwagon trying to clean up that Bay and everybody (and I hope this gets out in the newspaper) should be writing to Congressmen, D.E.C. and getting on the stick to work with this Brown Tide situation. The Sound is right on the same way. We're going the way of Chesapeake Bay. There will be no more swimming. Thank you."

Supervisor Janoski, "Thank you. Yes."

Nancy Gassertt, Riverhead, "Can I, pardon my laryngitis, offer a possible solution to the permit problem? Can it stay on the back left window and in the permit state; that it must be affixed to the top part of the window so they can still roll the window down in the heat? But it must be stipulated in the permit application that they must keep it in plain site at all times. Otherwise they will get a ticket. Now, as far as the taping it on with scotch tape, they should be given a warning, not a ticket a warning stating it must be properly affixed and they must apply for a new permit. I don't know. Possibly another."

Supervisor Janoski, "Ok. Thank you. Is there anyone else? This one is a hot one. Nobody else wishes to testify on the matter of the proposal with regard to beach parking? That being the case and without objection, I declare the hearing closed."

8:10 PUBLIC HEARING CLOSED AT 9:09

Supervisor Janoski, "Let the record show that the hour of 9:09 p.m. has arrived. The Town Clerk will read the notice of public hearing."

PUBLIC HEARING - 8:20 p.m.

I have affidavits of publication and posting that a public hearing will be held at Riverhead Town Hall on Tuesday, February 2, 1988 at 8:20 p.m. to hear all interested persons who wish to be heard regarding: Amendment to Section 103 of the Town Code, Landfill Fees.

Supervisor Janoski, "Town Attorney."

Patricia Moore, "This is a proposed amendment to Section 103-10 through 103-14. The intention of this ordinance was to redefine residential vehicles versus commercial vehicles. It had been seen at the dump that residential vehicles, or commercial vehicles were receiving residential stickers and they were coming in and bringing in a great deal of rubbish that was coming from the business enterprises. In order to prevent that in the future, we've tried to redefine residential vehicles and commercial vehicles as well as clarify what type of permit is going to

PUBLIC HEARING, ContinuedPatricia Moore, Continued

be issued. Several changes have occurred since it appeared in the paper and I'll try to go through them relatively quickly for you. We have redefined the residential vehicles. These vehicles are separated in Section I. There is still no charge for residential vehicles and that also includes trailers and trucks that are used for residential purposes. The biggest change is for a commercial vehicle and that was published in the \$100 but it is going to be \$15 which was the original fee prior to any changes. So commercial vehicles will be \$15 and again garbage haulers will remain as it was before. We are also adding trailers to these provisions. Residential vehicles that are carrying a trailer, will again, have no charge and a commercial vehicle carrying a trailer will have no charge for a sticker. The sticker process, the Town Clerk will take an affidavit from the owner, the person seeking a permit, stating what is the intended use of that vehicle. If it is a residential vehicle, they will be issued a residential sticker and they will affix it to the left side of the bumper. Sorry, but that is not changing. We're changing it from the right hand side to the left hand side. If it is a commercial vehicle, it will be issued a different colored sticker and that sticker will (again) be affixed to the bumper and it will be clear that when they come into the landfill, what is the type of refuse that they're bringing in. Usage fees, residential vehicles, will be charged just as they have been in the past. Commercial vehicles of one ton capacity or less will be charged \$2.50 per cubic yard. Pick-up trucks and commercial vans will also be charged \$2.50 per cubic yard. Garbage haulers remains unchanged. Trailers will also be charged \$2.50 per cubic yard. But this again, is under commercial vehicles. There has been no change to tires. A yearly pass is still the option for residential vehicles. It is not an option for commercial vehicles. And then we have redefined garbage hauler, residential vehicle and commercial vehicle. Penalties for the offense will be that if someone is abusing the provisions of this ordinance, they will be, the sticker will be revoked and they'll have to make other arrangements and reapply. And hopefully apply correctly for a commercial sticker or a residential sticker or whichever applies."

Supervisor Janoski, "Thank you. Is there anyone who wishes to address the Board on this proposal? George."

George Schmelzer, "I'm a little confused when they say commercial vehicles. A pick-up has a commercial license. There's no crime to use it. What about that?"

Patricia Moore, "We were trying to define.... I have a pick-up truck that has a commercial plate also. When you come in and you use your pick-up for residential purposes, you go back and forth to work or use it around the house, you have a truck that you use for your own residential use and you get a residential sticker."

PUBLIC HEARING, Continued

George Schmelzer, "What about a farmer who has a truck?"

Patricia Moore, "A truck that is used to carry refuse from business enterprises...."

George Schmelzer, "He's got a truck that he only incidently uses a couple times a year to bring stuff to the dump or maybe a half a dozen times but is for farming purposes. And a farming truck is not used to carry refuse maybe once in a great while."

Patricia Moore, "Farmers are still \$15. They may be issued a commercial sticker because they are using their truck in farming operations which is a business."

George Schmelzer, "So what are you going to charge them?"

Patricia Moore, "\$15, the same as it has been."

George Schmelzer, "How much a cubic yard besides?"

Patricia Moore, "\$2.50 a cubic yard."

George Schmelzer, "Who is going to be there with a ruler to measure it?"

Patricia Moore, "The dump has a very accurate way of measuring. You can ask them but they've been pretty accurate. They eye it and if you challenge it, they'll be happy to come in with a ruler and measure it out. Usually you're better off by eye."

Supervisor Janoski, "Plus we're going to a scale hopefully soon and then it will be done by weight."

George Schmelzer, "And if it's very loose, they measure air too as long as it's part of the cubic yard."

Patricia Moore, "I'm sure people are going to be careful to pack it down tightly so that they get more in there."

George Schmelzer, "What if you had a cubic yard of leaves?"

Supervisor Janoski, "George, come on."

George Schmelzer, "I didn't order this hearing. You did. You make up this stuff so what do you expect?"

Patricia Moore, "Leaves are probably not a commercial enterprises, so they would be residential."

George Schmelzer, "Of course the farm truck would not be commercial for hauling junk but a dump truck or a garbage truck may be. You know a garbage truck John."

Councilman Lombardi, "I certainly know a garbage truck."

PUBLIC HEARING, Continued

George Schmelzer, "Well, ok. Thank you Joe. Marty Lange went from cesspools to, I won't say the word here. And John went from garbage trucks to government. I've got a joke about that. I'll tell you later. Thank you."

Supervisor Janoski, "Ok. Dottie."

Dorothy Jermusyk, "I have a pick-up which I paid \$50. Am I going to get a refund?"

Councilman Lombardi, "That hasn't changed Dottie."

Dorothy Jermusyk, "She's saying 15."

Irene Pendzick, "No, no, no. Pick-up; the residential is still the same, 50 or 25 a car for the year. Nothing has changed for residential vehicle."

Dorothy Jermusyk, "What's the \$15 for a commercial vehicle?"

Irene J. Pendzick, "Other vehicles; flat beds, dump trucks."

Councilman Lombardi, "Plus they pay \$2.50 a yard. You can come in ten times a day. You can come in twenty times a day for the \$50. That doesn't change."

Mary Beth Andresen, "I'm a little confused. You can still buy your... I have a couple different types of trucks but most of the things that we own are trucks. Most of them have commercial plates on them. So last year, all I did was get the dollar ticker. I got the sticker and then I got the dollar tabs instead of fifty bucks."

Councilman Lombardi, "You paid by every time you went in."

Mary Beth Andresen, "Right because I also pay garbage service. So for me, it's every once in a while. It's not often. Is that still going to be the same? Nothing has changed."

Patricia Moore, "Nothing has changed in this for any residential vehicle. Most of the changes are for commercial uses."

Councilman Lombardi, "For landscapers. Landscapers were never included and this is where this coming in to."

Supervisor Janoski, "Ok. Is there anyone else? Mr. Kasperovich."

William Kasperovich, "I noticed you went by the bumpers very quickly. I don't see why you force people to do this because I think of you as reasonably concerned intelligent people. But I guess I'm being naive. I do not put my garbage sticker on the windows of my car and I don't intend to and I'll fight it until the last breath. The difference is that going to the landfill, you are present operating the vehicle or some authorized individual is driving the vehicle and you have to come to a full stop at the attendants gate such that he may see it."

PUBLIC HEARING, ContinuedWilliam Kasperovich, Continued

And if you present it to him in any other fashion, it certainly should be acceptable. But you're dotting the i's and crossing the t's and your amendments and you're making it stiffer and stiffer. Now my sticker is on the thickness of my door and I pull up to the gate; I open the door and it's completely revealed, completely affixed to my vehicle. It could be more readily seen by the attendant than any other location. But you're not making allowances for the fact that there is a person involved in the vehicle at the time this is going on. It is not like the beach where you park the car and disappear for a day. You are there coming in and going out. You're also not making allowances since there is an amendment, the changes being made and the people with yearly stickers, do not pay attention to the gate attendant. They just drive on through. And the faster they think the easier they get away with it. Now, you can confer with the Sanitation Department or the Landfill Department as to how many problems they've had. But I've stayed at the attendant's gate and watched the residents just zoom through and the attendant is left there with his hands in the air. Now, the attendant is there continually or he is replaced by some employee when he has to attend to his personal needs. So there is always somebody there. And there is no excuse for not revealing the sticker. But as far as putting it on the bumper, that is spelling out a stiff unflexible arrangement that is not required and does not serve the ultimate purpose. And so, how you come up with these things without all these considerations, I don't know. I'm glad to hear that you still haven't forgotten that weigh scales are manufactured and sold in this world and that compacted garbage is a lot different than a cubic yard of fluff. Thank you."

Supervisor Janoski, "Thank you. Is there anyone else who wishes to address the Board on the matter of landfill fees? That being the case and without objection, I declare the hearing closed."

8:20 PUBLIC HEARING CLOSED AT 9:24

Supervisor Janoski, "Let the record show that the hour of 9:24 p.m. has arrived. The Town Clerk will please read the notice of public hearing."

PUBLIC HEARING - 8:30 p.m.

I have affidavits of publication and posting of a public hearing to be held at Riverhead Town Hall on Tuesday, February 2, 1988 at 8:30 p.m. to hear all interested persons regarding: Change of Zone of Thomas Lessard, Seaman Road, Jamesport.

Supervisor Janoski, "Is there anyone present representing the applicant? You know I wondered about you two guys. Yes. I wondered about you and now I know why you're here. You look like FBI members to me."

PUBLIC HEARING, Continued

Thomas Lessard, Jamesport, "My original application pertains to a lot which is 574 feet north of Peconic Bay Boulevard on the east side of Seaman Road. It is currently in Agricultural "A" and my request is for a change of zone to Residence "C"."

Supervisor Janoski, "Simple enough. Thank you. Is there anyone else present who wishes to address the Board on the matter of this application?"

George Schmelzer, "Give it to him. Let him do it."

Supervisor Janoski, "George, did you want to be recognized? That's not the question."

George Schmelzer, "This guy wants it, give it to him. There is no reason not to."

Supervisor Janoski, "Thank you George. Is there anyone else present who wishes to address the Board on the matter of this application."

Councilman Pike, "Mr. Lessard, just a quick question. How big is the property and where precisely is it located?"

Thomas Lessard, "It's 200 by 200. It's a one acre lot."

Councilman Pike, "It's an acre lot. You want to subdivide it into two lots."

Thomas Lessard, "Right."

Supervisor Janoski, "Anyone else present wish to address the Board? Yes."

Tom Regan, Seaman Road, "I just have a question. I'm not objecting. The question is for information purposes. The map you had in the paper with the public notice showed about three parcels that are zoned Residential "C". On this map it showed a proposal extending from the Froelich residence all the way to the railroad tracks. Now, as I just heard, Tom Lessard is requesting in zoning for one parcel. Which is correct? The map as shown that you're proposing to rezone the entire site from Froelich's to the railroad tracks."

Supervisor Janoski, "As I recall, the Planning Board...."

Councilman Pike, "Well, what you're looking at is a lot larger than 400 by 400, 200 by 200."

Supervisor Janoski, "As I recall, the Planning Board, in the recommendation, recommended that the entire area be rezoned to Residence "C"."

PUBLIC HEARING, Continued ;

Tom Regan, "So if this applications takes under consideration of who was granted, would it be for this entire parcel to the tracks?"

Supervisor Janoski, "Well, that is one of the things the Town Board could do. We could simply do the one piece of property or follow the recommendation of the Planning Board and do the entire area."

Tom Regan, "Ok. Thank you."

Supervisor Janoski, "Yes."

Muriel Froehlich, Jamesport, "I also live on Seaman Road. I just wanted to also comment that it was the whole parcel as Tom had also said. Because my property, when I looked at the map which I never realized, my property is one acre and half of it is Agricultural and half of it is Residence "C". So I would prefer to have the whole parcel Residence "C". I mean if you're going to do it, if you're going to split it and just do Tom's property, I would prefer that mine was added on and you would go with this."

Supervisor Janoski, "I'm sure that's why the Planning Board made that recommendation because of split zones on parcels of property."

Muriel Froehlich, "Ok. Thank you."

Supervisor Janoski, "Thank you. Is there anyone else present who wishes to address the Board on this matter? That being the case and without objection, I declare the hearing closed."

8:30 PUBLIC HEARING CLOSED AT 9:29

Supervisor Janoski, "Let us take up the resolutions."

RESOLUTIONS #75-100 contained on pages 111-153
of the 1988 Resolution Book. (all resolutions 5yes.)

#101 ACCEPTS RESIGNATION OF CONSERVATION ADVISORY COUNCIL MEMBER.

Councilman Pike, "This is a troublesome resolution for me because I don't want to vote yes on accepting this resignation. The draft as originally written has been substantially amended. And since it is Sherry's persistant wish that she be allowed to resign, I'd like to move the following resolution."

RESOLUTION #101-102 contained on pages 154-155
of the 1988 Resolution Book. (both resolutions 5 yes)

2/2/88

RESOLUTIONS Continued

#103 AUTHORIZES SUPERVISOR TO ENTER INTO CONTRACT.

Councilman Boschetti, "First let me state that since I had a relative participate in this particular proposal, I have not taken part in any discussion nor will I vote on this particular resolution. I will present it however, so that it may be voted upon."

Councilwoman Civiletti, "I would just like to point out for the record that the selected contractor is not the contractor who you had any association with. So if there's any question..."

RESOLUTION #103-105 Contained on pages 156-158
of the 1988 Resolution Book.

PERSONAL APPEARANCES


Sherry Johnson, Manorville, "On the agenda, on Change of Zone, Fred Moore in parenthesis at the end has SEQRA. I was just wondering the meaning of that and would like a clarification. Because I noticed up at the top under Special Permits the other applications that already have this have already gone through the SEQRA process and I just wondered what that meant on this project."

Irene Pendzick, "I did that. I conferred with the Deputy Supervisor. We thought what we would do from now on on the Unfinished Business is try to show where the Unfinished Business was so that the public would know where it is sitting at the moment. And I was advised that this particular application was still in the SEQRA process. If that's not correct, we will correct it."

Sherry Johnson, "Ok. Thank you."

Supervisor Janoski, "Without objection, adjourned."

There being no further business on motion or vote, the meeting adjourned at 9:56 p.m.



Irene J. Pendzick
Town Clerk

IJP:nm